

PATENT

Attorney Docket No. OPHD-06331

CLEAN VERSION OF REWRITTEN OR ADDED CLAIMS

PURSUANT TO 37 C.F.R. §1.121 (c)(1)(i)

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- A 2 1. (Amended) A method of treatment for necrotizing enterocolitis, comprising:
- Sub B!
[]
- a) providing:
- i) a human neonate, wherein said human neonate has symptoms of necrotizing enterocolitis;
- ii) a therapeutic formulation comprising polyclonal antibodies directed to TNF, and;
- b) administering said formulation to said human neonate.
- A 2 9. (Amended) A method of treatment for necrotizing enterocolitis, comprising:
- Sub B!
Cont
[]
- a) providing:
- i) a neonate at risk for necrotizing enterocolitis,
- ii) a therapeutic formulation comprising polyclonal antibody directed to TNF, and;
- b) administering said formulation to the lumen of the intestine of said neonate.

R E M A R K S

Claims 1-14 are pending. The Examiner has offered the following grounds of rejection:

1. Claims 1-14 are objected to as allegedly "ambiguous because of the preamble."
2. Claims 1, 3, 9-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Eibl *et al.* (NEJM).
3. Claims 1-14 are rejected under 35 U.S.C. 103(a) as allegedly obvious in light of Eible ('984 patent) or Lai ('532 patent) in view of Mugurum *et al.*, Eibl (NEJM) and further in view of Emery *et al.* (US Patent No. 5,420,253).